	Effective Date:	01-01-2019
	Policy #:	G-41
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Subject: Overtime, On-Call and Callback Policy		Page: 1 of 4

PURPOSE

The Department of Licensing and Regulatory Affairs (LARA) may require an employee to work under special conditions. The department establishes procedures to schedule and authorize overtime, on-call and callback for all nonexclusively represented and exclusively represented employees in accordance with Civil Service Rules and Regulations. These provisions do not supersede any provisions in any collective bargaining agreement. Please refer to collective bargaining agreements for specific bargaining unit provisions.

DEFINITIONS

Appointment – An appointment includes a hire, transfer, demotion, promotion or reassignment.

Equalization Period - A calendar year; January 1 – December 31.

Equalization Unit - Each section within a division of a bureau or commission is an equalization unit.

Extended Leave – A leave of absence approved by the Disability Management Office (DMO) or the LARA Office of Human Resources of 160 hours or more.

On-Call - The scheduled state of availability to return to duty, work-ready, within a specified time period. General availability as backup to working personnel if an extreme emergency occurs is not on-call.


Overtime Opportunity - Each offer of overtime regardless of the number of hours actually worked.

Seniority - Continuous service hours.

Work in Progress – A management determination that an employee currently working may continue completing that assignment past the end of their normal work schedule.

POLICY

To the extent that sufficient notice is available, and the best interests of the state allow and considering work assignments and organizational units in the department, a supervisor/manager must schedule overtime work as equally as practicable among employees who normally perform the assigned duties.


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RESPONSIBILITIES


Management – LARA supervisors/managers are responsible for the equalization of overtime within their equalization unit. Each equalization unit will have an overtime equalization roster.

OVERTIME PROCEDURES (MANDATORY AND VOLUNTARY)

1. Each January, each equalization unit will be provided a report of the employees' total continuous service hours (seniority) accrued through the last full pay period of December.
2. Each January, management for each equalization unit shall create a list of employees ranking employees in order of seniority.
3. Each calendar year, the first mandatory overtime opportunity is assigned to least senior employee within the equalization unit that normally performs the task.
4. The second mandatory overtime opportunity is assigned to the next least senior employee within the equalization unit that normally performs the task.
5. Each calendar year, the first voluntary overtime opportunity is offered to the most senior employee within the equalization unit that normally performs the task.
6. The second voluntary overtime opportunity is offered to the next most senior employee within the equalization unit that normally performs the task.
7. Upon offering voluntary overtime to the least senior employee within the equalization unit, all subsequent opportunities are offered to the employee that will equalize the opportunities among those that normally perform the task.
8. Management shall maintain an equalization unit roster for each equalization unit and it must contain:
 - a. Employee's name
 - b. Classification
 - c. Date overtime offered
 - d. Voluntary or Mandatory overtime
 - e. Date worked
 - f. Employee accepted, declined, or was unqualified.

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- g. A running total of mandatory overtime opportunities worked.
 - h. A running total of voluntary overtime opportunities worked.
9. Equalization lists are to be updated each pay period and electronically made available to staff upon request, at a frequency of not more than once a pay period.
 10. An employee who declines to work voluntary overtime is counted as having worked in determining their equal share.
 11. When appointed to a position, an employee shall be credited with the same amount of overtime opportunities as the active employee then with the fewest opportunities offered.
 12. An employee returning from an extended leave shall be credited with the same amount of overtime opportunities as the active employee then with the fewest opportunities offered, if the hours are more than the returning employee's overtime offered during the equalization period.
 13. If enough employees normally performing the duties do not volunteer, an agency may offer overtime to other employees qualified to do the work.
 14. Management may mandate overtime if enough employees do not volunteer for scheduled overtime or there is an emergency.
 15. When mandating overtime, overtime will be assigned to the least senior employee in the equalization unit with the fewest number of overtime opportunities.
 16. Management may limit voluntary overtime during an equalization period for employees who renege on a voluntary overtime opportunity.
 17. Completion of work in progress does not constitute an overtime opportunity and is not equalized.

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ON-CALL

The department may require an employee to be on-call as needed in the manner most advantageous to the department and consistent with the requirements of state employment and the public interest.

Employees scheduled for on-call duty are paid at a rate of one hour of straight-time pay for each five hours on on-call duty.

The department authorizes and pays on-call time in accordance with Civil Service Rules and Regulations.

CALLBACK

The department may call an employee back to duty and schedule necessary callback duty in the manner most advantageous to the department and consistent with the requirements of state employment and the public interest.

Employees contacted to report to duty outside their normal working hours receive a minimum of three hours of pay, except that employees are compensated for the actual time worked if (a) called back to duty within three hours of their regular starting time or (b) the callback duty exceeds three hours.

Employees on on-call status are not paid on-call pay for callback-duty hours.

The department authorizes and pays callback duty in accordance with Civil Service Rules and Regulations.